

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PUMA SE and PUMA NORTH  
AMERICA INC.,

Plaintiffs,

v.

BROOKS SPORTS, INC.,

Defendant.

CASE NO. 2:24-cv-00940-JLR

**STIPULATED MOTION AND  
~~PROPOSED~~ ORDER TO MODIFY  
THE SCHEDULING ORDER**

NOTE ON MOTION CALENDAR:  
November 19, 2024

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and Local Rule 16(b)(6) of this Court, Plaintiffs and Defendant (the “Parties”) hereby file this Stipulated Motion to Modify the Scheduling Order, Dkt. 34, and as good cause state as follows:

1. On June 27, 2024, Plaintiffs filed a Complaint in this Court asserting nine patent infringement counts against Defendant, involving nine patents and five accused products. Dkt. 1. The Complaint identified one claim per patent, for a total of nine allegedly infringed claims identified in the Complaint.

2. On September 5, 2024, Defendant filed its answer and counterclaims. Dkt. 30.

3. On October 18, 2024, the Court entered a Scheduling Order, which included, as relevant here, the following dates:

- Disclosure of asserted claims and infringement contentions: November 4, 2024
- Non-infringement and invalidity contentions: December 2, 2024

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- Proposed terms for construction: December 23, 2024
- Preliminary claim constructions and extrinsic evidence deadline: January 21, 2025

4. On November 4, 2024, Plaintiffs served Defendants with their Disclosure of asserted claims and infringement contentions. Plaintiffs thereby disclosed their intent to assert 93 claims against Defendant.

5. On November 5, 2024, Plaintiffs sought leave, with Defendant's assent, to file an Amended Complaint, Dkt. 37, which this Court granted, Dkt. 38. Plaintiffs subsequently filed their Amended Complaint on November 8, 2024, Dkt. 39. The Amended Complaint asserted an additional patent against Defendant. *See id.*

6. In light of the Amended Complaint, the Parties agreed that Plaintiffs would serve supplemental infringement contentions that addressed the newly asserted patent on November 14, 2024.

7. Plaintiffs served their supplemental infringement contentions on November 14, 2024, which asserted an additional 18 claims of the newly added patent.

8. Accordingly, given the need for Defendants to consider and respond to these additional claims, and the need for the Parties to propose terms for claim construction on these additional claims, the Parties hereby propose the following modifications to the Court's Scheduling Order:

Event	Current Date	Proposed Date
Substantial completion of document production as required by Local Patent Rule 122	N/A	December 19 by 5 p.m. CST
Non-infringement and invalidity contentions	December 2	December 20
Proposed terms for construction	December 23	January 14
Preliminary claim constructions and extrinsic evidence deadline	January 21	February 4

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1           9.       Such a modification will not disturb any other deadlines set forth by the Court's  
2 Scheduling Order, including the schedule for claim construction.

3           For the foregoing reasons, the Parties jointly request that this Court grant this stipulated  
4 motion and enter a Revised Scheduling Order as requested above.  
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DATED this 19th day of November, 2024.

WE CERTIFY THAT THIS MEMORANDUM CONTAINS 420 WORDS, IN COMPLIANCE WITH THE LOCAL CIVIL RULES.

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**ORDER**

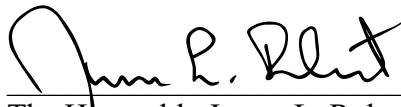
This matter came before the Court upon the foregoing Motion, and the Court, being fully advised in the premises:

NOW THEREFORE, IT IS HEREBY ORDERED:

The Court grants the Parties Stipulated Motion to Modify the Scheduling Order. The Court modifies the schedule as follows:

Event	Current Date	<del>Proposed</del> New Date
Substantial completion of document production as required by Local Patent Rule 122	N/A	December 19 by 5 p.m. CST
Non-infringement and invalidity contentions	December 2	December 20
Proposed terms for construction	December 23	January 14
Preliminary claim constructions and extrinsic evidence deadline	January 21	February 4

IT IS SO **ORDERED** this 20th day of November, 2024.



The Honorable James L. Robart  
United States District Judge

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